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## Proposed Regulation Agency Background Document

<b>Agency name</b>	Board (Department) of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20 -131
<b>Regulation title</b>	Regulations Establishing Standards for Accrediting Public Schools in Virginia
<b>Action title</b>	Amendments to the Standards of Accreditation
<b>Date this document prepared</b>	

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.*

Section 22.1-253.13:3 of the *Code of Virginia* requires the Board of Education to promulgate Standards of Accreditation for Virginia's K-12 public schools. The current regulations were adopted by the Board of Education on May 24, 2006, and became effective September 7, 2006. In July 2006, the president of the Board, Dr. Mark Emblidge, formed a special committee of the Board of Education to research and recommend policies to reduce the number of students who drop out of high school and to improve graduation rates, especially among minority students. The proposed revisions are an outgrowth of the work both of that committee and of the Board's adoption of a graduation rate formula in November 2006: Graduation rate = [On-time graduates in Year X] / [(First-time entering ninth graders in Year X-4) + (Transfers in) - (Transfers out)]. In the fall of 2008, the records of first-time ninth graders in 2004-2005 will be able to be linked to their records four years later to determine their graduation status.

The proposed revisions are also in response to legislation passed by the 2007 General Assembly that requires the Board of Education to establish the requirements for the Standard Technical and Advanced Technical Diplomas. HB 2039 and SB 1147 require the Board to:

Establish the requirements for a technical diploma. This diploma shall meet or exceed the requirements of a standard diploma and will include a concentration in career and technical education, as established in Board regulations. A student who meets the requirement for the advanced studies diploma who also fulfills a concentration in career and technical education shall

receive an advanced technical diploma. The Board may develop or designate assessments in career and technical education for the purposes of awarding verified credit pursuant to subdivision 6....

Finally, in 2007, the House Education Committee, while not taking action on HB 3201, related to removing students from classes, requested the Chairman write a letter to the Board of Education asking that the Board consider this issue in its review of applicable regulations, and report back to the patron and the committee. Language in response to this bill is included in the proposed revisions.

**Legal basis**

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

Section 22.1-19 of the *Code of Virginia* requires that the Board of Education "... provide for the accreditation of public elementary, middle, and high schools in accordance with standards prescribed by it." Further, the Standards of Quality for Public Schools in Virginia (SOQ), in § 22.1-253.13:3.F of the *Code of Virginia*, requires that local school boards "... maintain schools which meet the standards of accreditation prescribed by the Board of Education." The current standards were final in September 2006. This action by the Board of Education is mandatory.

**Purpose**

*Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.*

This action is essential to protect the health, safety, and welfare of the Commonwealth’s most vulnerable citizens—its school-age population. The goals of the proposal are to strengthen the quality of instruction in public schools in Virginia and to bring the standards into conformity with amended or new state laws. These regulations form the basis for the day-to-day operation of the educational program in each public school in Virginia. The regulations contain provisions to govern student achievement expectations; requirements for graduation; transfer students; college and career preparation programs and opportunities for postsecondary credit; role of the school principal; school and community communications; school accountability; procedures for certifying school accountability, application of the standards; and recognition and rewards for school and division accountability performance.

**Substance**

*Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the “Detail of changes” section.)*

There are a number of substantive changes to the regulations, most notably in 8 VAC 20-131-50 creating the Standard Technical and Advanced Technical diplomas as required by General Assembly action. Other substantive changes are found in 8 VAC 20-131-140 where an Academic and Career Plan for students beginning in grade seven

is proposed at the Governor’s request. Changes have been proposed in 8 VAC 20-131-300 to establish a graduation and completion index that all schools with a graduating class would be required to meet in order to be fully accredited.

**Issues**

*Please identify the issues associated with the proposed regulatory action, including:*  
1) *the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*  
2) *the primary advantages and disadvantages to the agency or the Commonwealth; and*  
3) *other pertinent matters of interest to the regulated community, government officials, and the public.*

*If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.*

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The revisions to the regulations creating the requirements for a Standard Technical Diploma and an Advanced Technical Diploma will be advantageous to the business community. Graduates with the new technical diplomas will provide employers evidence that they are skilled, educated and prepared to enter into the workforce at a time when the number of retirement age employees in the workforce is creating a strain on employers to find skilled employees. The creation of graduation and completion index will be advantageous to the public and business community by providing further accountability for the public schools to ensure that schools are making the necessary efforts to prevent dropouts, to retain students, and to graduate students with appropriate credentials that have prepared students to transition into postsecondary instruction and/or the workforce.

**Requirements more restrictive than federal**

*Please identify and describe any requirement of the proposal which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.*

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There are no federal requirements governing the proposed revisions to the regulations. No requirements are included in the proposed revisions that are more restrictive than federal law.

**Localities particularly affected**

*Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.*

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No localities have been identified at this time.

**Public participation**

*Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.*

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to [Anne Wescott, P.O. Box 2120 Richmond, Virginia 23218-2120, (804) 225-2403, fax (804) 786-5389, [SOACOMMENTS@doe.virginia.gov](mailto:SOACOMMENTS@doe.virginia.gov)]. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

**Economic impact**

*Please identify the anticipated economic impact of the proposed regulation.*

<b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures</b>	There is minimal cost to the state to implement and enforce the proposed regulation. Existing budgets should be sufficient to fund the state’s responsibilities.
<b>Projected cost of the regulation on localities</b>	It is not possible to estimate the cost of the regulation due to the varying nature of the 132 school divisions.
<b>Description of the individuals, businesses or other entities likely to be affected by the regulation</b>	Public elementary, middle and secondary schools, local school boards and local school officials will be affected by the regulation.
<b>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	There are approximately 1830 elementary, middle, and secondary schools in 132 school divisions in the state. Each school division has a school board with varying numbers of members and a superintendent.
<b>All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</b>	It is not possible to estimate the cost of the regulation due to the varying nature of the 132 school divisions. However, the cost should be minimal since the proposed regulation does not impose additional requirements to individuals, businesses or other entities in the localities.

**Alternatives**

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.*

No alternatives to amending these regulations have been considered as the Board of Education is desirous of conducting this review as essential to the continued improvement of the system of public schools in Virginia. Further, legislation enacted during the 2007 session of the Virginia General Assembly requires the Board of Education to amend the existing regulations.

**Regulatory flexibility analysis**

*Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

These regulations do not impact small businesses.

**Public comment**

*Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.*

Comment	Agency Response
<p><b>Graduation Rates</b></p> <p>44 comments recommended that the SOA include:</p> <ul style="list-style-type: none"> <li>• a high school graduation rate target of 80% or higher for Full Accreditation, that increases over time and rewards schools that make significant and sustained progress for all subgroups of students but don't reach the goal;</li> <li>• incentives to graduate all students with the highest attainable credential and to eliminate the graduation gap so that all students graduate;</li> <li>• data quality components, including accurate documentation for missing students, and others to ensure students do not slip through the cracks, accurate reporting of dropout rates, standardized data collection and reporting procedures, and audits to ensure compliance;</li> <li>• mandatory graduation rate benchmarks for schools to meet for racial and ethnic minorities, students with disabilities, low-income students, and students with</li> </ul>	<p>After consideration of available data and various graduation targets the Board of Education decided to include a graduation and completion index in the regulations to reduce the number of students who drop out of high school and to improve graduation rates, especially among minority students. The proposed revisions are an outgrowth of the work both of a special committee of the Board and of the Board’s adoption of a graduation rate formula in November 2006: Graduation rate = [On-time graduates in Year X] / [(First-time entering ninth graders in Year X-4) + (Transfers in) – (Transfers out)]. In the fall of 2008, the records of first-time ninth graders in 2004-2005 will be able to be linked to their records four years later to determine their graduation status.</p>

<p>limited English proficiency in order to achieve Full Accreditation;</p> <ul style="list-style-type: none"> <li>• incentives for schools to find out what happens to their students;</li> <li>• a requirement that missing students be coded as "dropouts" instead of "transfers" unless a school can produce documentation proving transfer;</li> </ul> <p>1 comment recommended that the SOA incorporate:</p> <ul style="list-style-type: none"> <li>• criteria which ensures increasing high school graduation rates</li> <li>• accurate reporting of high school graduation and dropout rates</li> </ul> <p>1 comment requested that the SOA require:</p> <ul style="list-style-type: none"> <li>• high schools increase graduation rates by meeting annual, research-based benchmarks with the long-term goal of reaching 90 percent graduation rate;</li> <li>• require the disaggregation of graduation data by subgroup to ensure that schools are held accountable for increasing the graduation rate for all students; and</li> </ul> <p>1 comment recommended that the SOA include:</p> <ul style="list-style-type: none"> <li>• a high graduation rate target of 100% for Full Accreditation, that schools must meet or make significant progress toward the target for all groups of students including racial and ethnic minorities, students with disabilities, low-income students, and students with limited English proficiency;</li> <li>• data quality measures that include all essential elements of a robust longitudinal system including adopting four remaining measures of the National Center for Educational Accountability 1) student-level transcript information, including information on courses completed and grades earned; 2) a teacher identifier system with the ability to match teachers to students; 3) student-level college readiness test scores; and 4) the ability to match student records between the P-12 population and higher education systems. (Currently, Virginia employs six of the ten measures recommended by the National Center for Educational Accountability;</li> <li>• measuring graduation rates across subgroups within school divisions</li> <li>• provide incentives to school divisions to eliminate the graduation gap between white students and minorities</li> <li>• a system that provides student level transcript information to track schools that fail to keep students on pace to graduate and to assist schools to systematically identify students failing to acquire high school credits at the pace necessary to complete high school.</li> </ul> <p>2 comments supporting rewarding schools for five and six year graduates as long as the system prioritizes four year graduation.</p>	<p>Proposed language creates a graduation and completion index to that all schools with a graduating class would be required to meet in order to be fully accredited. This amendment is necessary to address the Board of Education’s concern and the public’s concerns regarding reducing the number of students dropping out of school and increasing the number of students graduating with an appropriate credential that will enable them to transition into postsecondary instruction or the workforce.</p> <ul style="list-style-type: none"> <li>• The graduation and completion index would include weighted percentage points for students who:             <ul style="list-style-type: none"> <li>○ Graduate from high school in four years or less – 100 points</li> <li>○ Graduate from high school in more than four years – 100 points</li> <li>○ Earn a GED certificate – 75 points</li> <li>○ Remain in school for more than four years – 70 points</li> <li>○ Earn a certificate of completion – 60 points</li> </ul> </li> <li>• The index would account for all students in the graduating class’s ninth grade cohort, plus transfers into the school and minus transfers out of the school and students who are deceased. Students who remain in school or earn a credential after their assigned cohort year would also be included in the index.</li> <li>• Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to meet the prescribed thresholds on the Board’s graduation and completion rate index, in addition to meeting the required pass rates on the Standards of Learning assessments, in order to be fully accredited.</li> <li>• Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to achieve a minimum of 80 percentage points on the Board of Education’s graduation and completion index, in addition to meeting the required Standards of Learning pass rates, in order to be fully accredited.</li> <li>• A school would be rated provisionally accredited in academic years 2010-2011 through 2014-2015 if it met the required pass rates on the Standards of Learning assessments, but failed to achieve 80 percent on the graduation and completion index, but met the following benchmarks:</li> <li>•</li> </ul>
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<p>1 comment encouraged the Board to continue to invite stakeholders, students, parents, schools, and civil rights groups to address the Board’s Committee on Accountability.</p> <p>1 comment recommended that graduation rates be one of the factors that could trigger a division-level-academic review.</p> <p>1 comment supported comprehensive record keeping disaggregating information on graduation by gender, race, and ethnicity and initiatives to improve graduation rates.</p> <p>1 comment supported an “A” or 90 percent high school graduation rate and a focus on kids at more risk for school interruption to help maintain educational opportunity for students.</p> <p>1 comment recommended that the Board of Education form a stakeholder task force for revising the SOA to include traditional stakeholders like VASS, VSBA, VEA, municipal organizations like VML, VACO, and VFC, courts, parents, students, civil rights groups like PTA, NAACP, JustChildren, and DOE staff.</p> <p>1 comment supported disaggregating data by No Child Left Behind subgroups and requiring progress in each subgroup to achieve Full Accreditation.</p> <p>1 comment supported creating accountability for graduation on a division-wide basis.</p> <p>1 comment supported</p> <ul style="list-style-type: none"> <li>• creating an early warning system and intervention at key transition points by             <ul style="list-style-type: none"> <li>○ ensuring that the EIMS can track academic and behavioral characteristics of students including SOL test scores, failing in math or English, attendance, discipline, and retention;</li> <li>○ providing technical assistance in conducting long-term cohort based longitudinal studies of school divisions’ students to identify dropout indicators;</li> <li>○ using student assistance teams to provide extra support for students at risk of dropping out</li> <li>○ providing more support for key transitions from elementary to middle and middle to high</li> </ul> </li> <li>• Providing more academic options for students who are not successful in middle and high school by:             <ul style="list-style-type: none"> <li>○ Providing research based reading instruction for students who cannot read in middle and high school;</li> <li>○ Reducing barriers to career and technical programs;</li> <li>○ Creating small college prep high schools for students who are under-stimulated; creating transition programs such as freshman academies</li> </ul> </li> </ul>	<table border="1"> <thead> <tr> <th colspan="3">Graduation and Completion Index Benchmarks for Provisionally Accredited Ratings</th> </tr> <tr> <th>Academic Year Index</th> <th>Accreditation Year</th> <th>Percentage Points</th> </tr> </thead> <tbody> <tr> <td>2009-2010</td> <td>2010-2011</td> <td>75</td> </tr> <tr> <td>2010-2011</td> <td>2011-2012</td> <td>76</td> </tr> <tr> <td>2011-2012</td> <td>2012-2013</td> <td>77</td> </tr> <tr> <td>2012-2013</td> <td>2013-2014</td> <td>78</td> </tr> <tr> <td>2013-2014</td> <td>2014-2015</td> <td>79</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• If a school failed to meet the benchmarks for the provisionally accredited rating, the school would be accredited with warning for not achieving the minimum threshold on the graduation and completion index.</li> <li>• If a school failed to meet the 80 percentage points on the index after accreditation year 2014-2015, the school would be accredited with warning for not achieving the minimum threshold on the index.</li> <li>• A school could remain in accredited with warning status for no more than three consecutive years. If the school failed to meet the minimum threshold for a fourth year, the school would be denied accreditation for not achieving the minimum threshold on the index.</li> <li>• Accreditation would be based on the school’s current pass rates and index points or a trailing three-year average of pass rates and index points, whichever is higher.</li> <li>• Alternative education schools and schools with grades with an enrollment of 50 or fewer students in the ninth grade cohort would be permitted to request that the Board approve an alternative accreditation plan to meet the graduation and completion index.</li> <li>• The use of the graduation and completion index for accreditation of high schools would be phased in over five years.</li> </ul>	Graduation and Completion Index Benchmarks for Provisionally Accredited Ratings			Academic Year Index	Accreditation Year	Percentage Points	2009-2010	2010-2011	75	2010-2011	2011-2012	76	2011-2012	2012-2013	77	2012-2013	2013-2014	78	2013-2014	2014-2015	79
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<ul style="list-style-type: none"> <li>• Examining the effects of school discipline policies on graduation rates and building support for students with behavioral challenges by:             <ul style="list-style-type: none"> <li>○ Collecting better data by school and division regarding offense types, number of days or hours of instructional time lost, and by NCLB subgroup;</li> <li>○ Studying correlation between use of suspension and expulsion and graduation rates; providing technical assistance and grants for implementation of school wide positive behavioral supports;</li> <li>○ Promulgating quality standards for alternative education programs that focus on academic instruction, credit recovery for students falling behind, counseling services, and reintroduction back into the home school.</li> </ul> </li> <li>• Enforcing the truancy laws with compassion and common-sense by:             <ul style="list-style-type: none"> <li>○ Not permitting suspension for truancy;</li> <li>○ Considering pre-court referral to the Family Assessment Planning Team.</li> </ul> </li> </ul>	
<p><b>Technical Diplomas</b></p> <p>I comment could not support the proposed technical diplomas based on several points:</p> <ul style="list-style-type: none"> <li>• The addition of two new diplomas creates more issue for counselors in terms of explaining the diploma options and tracking student progress toward meeting the requirements for each.</li> <li>• This is contradictory with all the work that has been done to dissolve the barriers between “vocational” and the “college prep” program of studies. Technical diplomas will be viewed as the “vocational track” and the Advanced Studies Diploma will be described as the “college bound” track.</li> <li>• If the intent is to “raise the bar” beyond the current requirements for a Career and Technical Education Seal, then make the requirements for the seal more rigorous.</li> <li>• The technical diplomas do not provide any advantage in the marketability of students in the workforce. The current Standard and Advanced diplomas, with a more rigorous requirement for the CTE seal, would yield the same result as offering technical diplomas.</li> <li>• The general consensus of the career and technical administrators state-wide is that the creation of a technical diploma would be more harmful than helpful. This initiative came from the legislators, not from the leadership for career and technical education.</li> <li>• “Concentration” should be defined by a student has earned a minimum of 3 standard credits in a CTE program area in meeting the requirements for a technical diploma. One of the three credits could be earned by completing a cooperative education or mentorship program.</li> </ul>	<p>The proposed revisions are in response to legislation passed by the 2007 General Assembly that requires the Board of Education to establish the requirements for the Standard Technical and Advanced Technical Diplomas that meet or exceed the requirements of a standard diploma and will include a concentration in career and technical education, as established in Board regulations.</p> <p>The Board held several meetings for various stakeholders to comment on the technical diplomas.</p> <p>Standard Technical Diploma requires a minimum of 22 standard credits and six verified credits, in the following areas:</p> <ul style="list-style-type: none"> <li>• English – Four standard credits and two verified credits</li> <li>• Mathematics – Three standard credits and one verified credit. Courses completed to satisfy this requirement would include at least three course selections from among: Algebra I, Geometry, Algebra Functions and Data Analysis, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.</li> <li>• Laboratory science – Three standard credits and one verified credit. Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International</li> </ul>

<ul style="list-style-type: none"> <li>• For the Technical Diploma a student must meet the requirements for the Standard Diploma and have:             <ul style="list-style-type: none"> <li>○ Earned a minimum of 3 standard credits in a CTE program area with a “B ” average,* and</li> <li>○ Have completed at least one computer class above the keyboarding level.</li> <li>○ Note: One of the three credits could be earned by completing a cooperative education or mentorship program.</li> </ul> </li> <li>• For the Advanced Technical Diploma a student must meet the requirements for the Advanced Studies Diploma and have:             <ul style="list-style-type: none"> <li>○ Earned a minimum of 3 standard credits in a CTE program area with a “B” average, and</li> <li>○ Have completed at least one computer class above the keyboarding level, and</li> <li>○ Have either earned a minimum of six college credits through dual enrollment or Advanced Placement course, or</li> <li>○ Have earned an industry certification in a CTE program area.</li> <li>○ Note: One of the three credits could be earned by completing a cooperative education or mentorship program.</li> </ul> </li> <li>• Basic work ethics concepts should be integrated in all high school classes.</li> <li>• Communication skills should be integrated in all high school classes.</li> <li>• Computer literacy – Require students to complete at least one class above the keyboarding level.</li> <li>• The hardship that the technical diplomas present to localities really will depend on the final requirements. The addition of two more types of diplomas will mean that more counseling services will need to be provided, and possibly career coaches. If more emphasis is placed on students earning industry certifications, more funds will be needed to cover the cost of the assessments and additional staff may be needed to coordinate the industry assessments</li> <li>• State-wide efforts should be made by the DOE to promote the value of career and technical education. A strong public relations program aimed at parents would be a good start.</li> <li>• Make the technical diplomas a local option.</li> <li>• Give localities flexibility to modify the course combinations that are needed to meet the DOE definition for a CTE concentration, if such changes would better serve to prepare the student for their career goal. (Example: Accept a combination of courses such as horticulture and business law or accounting if the student wants to work in the horticulture industry.)</li> <li>• Enhance the career and technical components of the CTE seal for the current Standard and Advanced Studies diplomas.</li> </ul>	<p>Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.</p> <ul style="list-style-type: none"> <li>• History and social sciences – Three standard credits and one verified credit. Courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.</li> <li>• Health and physical education – Two standard credits</li> <li>• Fine arts, foreign language, economics, or personal finance – One standard credit</li> <li>• Career and Technical Education – Four standard credits. Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student’s career concentration.</li> <li>• Electives – Two standard credits</li> <li>• Student selected assessment – One verified credit. A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110. If a career concentration includes a specific assessment approved by the Board, then the student must take this assessment.</li> <li>• Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry or trade or professional association or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification competency credential or license for (i) the student selected verified credit and (ii) either a science or history and social science verified credit when the certification license or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the Board as an additional test to verify student achievement.</li> </ul> <p>Advanced Technical Diploma require a minimum of 26 standard credits and nine verified credits, in the following areas:</p> <ul style="list-style-type: none"> <li>• English – Four standard credits and two verified credits</li> <li>• Mathematics – Four standard credits and two verified credits. Courses completed to satisfy this</li> </ul>
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	<p>requirement would include at least three course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.</p> <ul style="list-style-type: none"> <li>• Laboratory science – Four standard credits and two verified credits. Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.</li> <li>• History and social sciences – Four standard credits and two verified credits. Courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.</li> <li>• Foreign Language – Three standard credits. Courses completed to satisfy this requirement would include three years of one language or two years of two languages.</li> <li>• Health and physical education – Two standard credits</li> <li>• Fine arts or economics – One standard credit</li> <li>• Career and Technical Education – Four standard credits. Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student’s career concentration. If a career concentration includes a specific assessment approved by the Board, then the student must take this assessment.</li> <li>• Student selected assessment – One verified credit. A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110.</li> </ul>
<p>I comment requested that the SOA offer options for studies that provide career alternatives for students who may want to learn a trade or skill rather than seek further academic studies.</p>	<p>See agency response to technical diplomas.</p>
<p>I comment requested that sections 8 VAC 20-131-80 -100 be amended to include language that states: “Students who are unable to understand and use with comprehension materials and reasoning used for instruction shall receive additional instruction in mathematics, which may include summer school.”</p>	<p>The Board did not include a recommendation due to the fiscal implications of this suggestion.</p>

<p>I comment requested that every school division be required to provide alternative schools to suspended and expelled students.</p>	<p>The Board did not include a recommendation due to the fiscal implications of this suggestion.</p>
<p>I comment recommended use of restorative practices to change how disciplinary incidents are handled both in schools and courts. The commenting organization submitted news articles and data for Charlottesville and Albemarle public schools.</p>	<p>The Board did not include a recommendation due to disciplinary action being within the purview of the local school boards.</p>

<p><b>Comment</b></p>	<p><b>Agency Response</b></p>
<p><b>Virginia Automobile Dealers Association</b></p> <ul style="list-style-type: none"> <li>• Virginia auto industry has been very excited to be a part of the awakening and the success of career and technical Education in the Commonwealth.</li> <li>• If Virginia keeps leading in career and technical education, more students pursuing their dreams as careers will make the future workforce not only attractive to industries looking to do business in Virginia, but will help grow good Virginia citizens as well.</li> <li>• Industry cannot train as well by itself, or do it as efficiently, as it can by collaborating with the Virginia Education system.</li> </ul>	<p>See agency response to technical diplomas.</p>
<p><b>Virginia Career Education Foundation</b></p> <ul style="list-style-type: none"> <li>• <b>CTE concentration</b> is defined as “a coherent sequence of courses completed by a student in a specific career area” as identified in <i>The CTE Administrative Planning Guide</i>. Another term to be considered in tandem with “concentration” is “completer.” A CTE <b>completer</b> is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program. There may be merit in reviewing and redefining <i>sequence</i> in terms of credits earned or total hours of instruction rather than “courses”</li> <li>• The credits should be standard credits enhanced by industry certification or state licensure where applicable.</li> <li>• Passing the WRS curriculum and earning the accompanying National Occupational Competency Testing Institute (NOCTI) certification should be considered for inclusion in both technical diploma options.</li> <li>• Current regulations require schools to offer: “Career and technical education choices that prepare the student as a career and technical education program</li> </ul>	<p>See agency response to technical diplomas.</p>

<p>completer in one of three or more occupational areas and that prepare the student for technical or preprofessional postsecondary programs.” Students who are pursuing the Standard Diploma or the new Modified Standard Diploma must complete two sequential electives. Two sequential electives comprise a concentration of courses from a variety of options including Career and Technical Education. If a school division is offering courses to meet these two requirements, there should be few if any hardships in adding technical diploma options.</p> <ul style="list-style-type: none"> <li>• It is a challenge informing parents of the changes in CTE over the past few decades and the career opportunities available through a variety of pathways. It is critical that parents be well informed about all the options so they can better guide their young people as they explore careers early on and narrow their choices.</li> <li>• One way to maximize resources is to share across divisions and utilize virtual learning.</li> <li>• Cooperation with institutions of higher learning in establishing dual credit courses should be encouraged at no cost or low cost for the high school student.</li> <li>• Partnerships with businesses and industry could help promote the technical diplomas. The Commonwealth Scholars (CS) program, a grant project managed by VCEF, is an example of this type of partnership. Local business representatives visit 8th grade classrooms to challenge them to take more rigorous courses in high school. The CS academic core could be considered as one basis for the technical diploma, even if modifications are recommended for certain CTE programs.</li> </ul>	
<p><b>Virginia Chamber of Commerce</b></p> <ul style="list-style-type: none"> <li>• The Chamber supports the technical and advanced technical diplomas to enable a greater workforce to attract businesses and industry that will help the Commonwealth continue to prosper.</li> <li>• Specific skills demanded by employers vary from industry to industry and from region to region across Virginia.</li> <li>• Every business expects the public school system to produce “a trainable labor force.”</li> <li>• Businesses will provide additional job or industry specific training as required.</li> </ul>	<p>See agency response to technical diplomas.</p>

<ul style="list-style-type: none"> <li>• “Trainable labor force” has two sets of skills:             <ul style="list-style-type: none"> <li>○ Soft skills:                 <ul style="list-style-type: none"> <li>▪ Communication</li> <li>▪ Intrapersonal Skills</li> <li>▪ Teamwork</li> </ul> </li> <li>○ Hard skills:                 <ul style="list-style-type: none"> <li>▪ Basic literacy</li> <li>▪ Reading, Writing and Reasoning</li> <li>▪ Math skills through Algebra II</li> <li>▪ Computer Literacy- a basic comfort level and familiarity</li> </ul> </li> </ul> </li> <li>• Capitalize on current programs and work to increase funding and use thereof such as the:             <ul style="list-style-type: none"> <li>○ Career Readiness Certificate (CRC)</li> <li>○ ACT Workkeys                 <ul style="list-style-type: none"> <li>▪ Applied mathematics</li> <li>▪ Reading for Information</li> </ul> </li> <li>○ Virginia Jobs Investment Program</li> </ul> </li> <li>• Make the technical diploma and career and technical education more attractive and publicize this option in high schools— not as less valuable or less respected than a four year degree but an equally attractive opportunity and career path.</li> </ul>	
<p><b>Virginia Advisory Committee on Career and Technical Education</b></p> <ul style="list-style-type: none"> <li>• The Advisory Committee commends the administration for its support of career and technical education through its guidance on requirements for the new Technical Diplomas.</li> <li>• It is very important that the requirements for the technical diplomas clearly exceed those of the standard diploma. The requirements should provide rigor in the academic and technical courses included and also relevance in relating the course content to the future workforce roles for which the students are preparing.</li> <li>• The Advisory Committee supports the information</li> </ul>	<p>See agency response to technical diplomas.</p>

<p>and perspective being provided by the Virginia Association for Career and Technical Education (VACTE).</p> <ul style="list-style-type: none"> <li>• In order for the technical and advanced technical diplomas to be successful, it will be very important for the Virginia Board of Education, Department of Education, and local school divisions to develop strategies for increasing the visibility of these options. Target audiences for these efforts will include students, parents, business and industry, and higher education.</li> <li>• The Advisory Committee is supportive of involving partnerships with businesses, workforce development agencies, community colleges, and higher education institutions in the implementation of the technical diplomas.</li> <li>• School divisions should be able to offer this diploma option to students with existing course offerings and resources. A broader range of career pathways may be made available to students through sharing resources across divisions. This could involve the use of technology such as online and videoconference instruction.</li> </ul>	
<p><b>Virginia Association for Career and Technical Education</b></p> <ul style="list-style-type: none"> <li>• The recommendation is to use the current definition of “concentration” as listed in the Department of Education, Office of Career and Technical Education CTE Administrative Planning Guide. This document defines concentration and specialization sequences as “a coherent sequence of courses completed by a student in a specific career area”. This should be two or more courses as it relates to the student’s career pathway as approved by the Virginia Department of Education Five Year Career and Technical Education Plan in compliance with the federal act, Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV).</li> <li>• There are two national high school reform initiatives that Virginia schools have or are currently participating in to increase student achievement and add academic rigor. A federal program referred to as State Scholars initiative and a SREB program entitled High Schools That Work. It is recommended that the Technical Diploma requirements mirror Commonwealth Scholars with flexibility reflecting the student career pathway as outlined in the High Schools that Work (HSTW) initiative.</li> </ul>	<p>See agency response to technical diplomas.</p>

<ul style="list-style-type: none"> <li>• It is recommended that 4-6 Career and Technical Education credits are included in the Technical Diploma. These credits would relate to the career pathway. The credits should be verified credits where applicable with industry certification exams and/or assessment. The Technical Diploma must demonstrate both rigor and relevance and exceed the Standard Diploma requirements.</li> <li>• Each Career and Technical Education course is required to teach Workplace Readiness Skills as minimum. These skills have been identified by employers as essential in the workplace. Additional topics within the same area are being considered such as entrepreneurship and creative skills.</li> <li>• To address student preparation of these skills could include, but not limited to, performance based approach requiring both knowledge and demonstration. This could include a senior portfolio or senior project with a presentation.</li> <li>• The state regulations should reflect the new federal Carl D. Perkins Career and Technical Education Act 2007 (Perkins IV) regulations. The competencies will be part of the CTE courses in Virginia and thus, the program assessment requirements would be reflected of the federal requirements.</li> <li>• A number of students are already taking CTE courses as electives and complete the second year of the course. This indicates that school divisions that offer the first year of the course are also offering the second year, thus have the staffing and equipment in place so existing resources may be used to meet the requirements for the technical diploma.</li> <li>• It is imperative to develop a marketing campaign involving parents, students, businesses, higher education, local education agencies, and Parent-Teacher Associations. The general public must realize the rigor attached to the Technical Diploma and that it exceeds the requirements for the Standard Diploma. Benchmarks should be developed using current data on types of diplomas using the school building report card. Business awareness partnerships could be established with public education, higher education, and the Virginia Department of Education to demonstrate the need for a well educated and skilled workforce.</li> <li>• The course requirements should require and correlate with a career pathway and explore the opportunities to develop relationships with corresponding business and industry. The core</li> </ul>	
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<p>requirements should reflect academic rigor and knowledge and skill attainment.</p> <ul style="list-style-type: none"> <li>Resources could be shared across divisions via virtual learning and on-line courses and partnerships should be cultivated with business and higher education institutions.</li> <li>An Academic Career Plan should be required beginning at the middle school level and modified as needed through the student’s high school career.</li> </ul> <p>Recommendations for <b>Technical Diploma</b> 23/24 Credits</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><b>Subject</b></th> <th style="text-align: right;"><b>Credits</b></th> </tr> </thead> <tbody> <tr> <td><b>English</b></td> <td style="text-align: right;">4</td> </tr> <tr> <td><b>Math</b> (Algebra 1, Geometry, Algebra II)</td> <td style="text-align: right;">3</td> </tr> <tr> <td><b>Science</b> (Above Earth Science. Credits should reflect the student Career Pathway Such as Chemistry for Cosmetology; Principles of Technology/Physics, Project Lead the Way for Engineering and Technology or Trade and Industrial Education; Anatomy for Health and Medical Services; AP Chemistry, Oceanography, Geology as relates to career pathway)</td> <td style="text-align: right;">3</td> </tr> <tr> <td><b>History/Social Science</b> (to include Financial Literacy)</td> <td style="text-align: right;">3</td> </tr> <tr> <td><b>Health/Physical Education</b></td> <td style="text-align: right;">2</td> </tr> <tr> <td><b>Foreign Language</b> (Conversational based for workforce readiness)</td> <td style="text-align: right;">2</td> </tr> <tr> <td><b>Technical Communication</b> (Computer applications, technical proposals, report writing, project development)</td> <td style="text-align: right;">1</td> </tr> <tr> <td><b>Career and Technical Education</b> 4-5 (A concentration of two or more CTE courses)</td> <td></td> </tr> <tr> <td><b>Elective</b></td> <td style="text-align: right;">1</td> </tr> <tr> <td></td> <td style="text-align: right;">Total</td> </tr> <tr> <td></td> <td style="text-align: right;">23 credits</td> </tr> </tbody> </table> <p>Additional Requirements:</p> <ul style="list-style-type: none"> <li>Course requirements must meet CTE Seal</li> <li>May meet the Advanced Math or Technology Seal</li> <li>Where applicable, CTE credits should be verified credits via Industry Assessment</li> <li>Dual credit with higher education where applicable</li> </ul>	<b>Subject</b>	<b>Credits</b>	<b>English</b>	4	<b>Math</b> (Algebra 1, Geometry, Algebra II)	3	<b>Science</b> (Above Earth Science. Credits should reflect the student Career Pathway Such as Chemistry for Cosmetology; Principles of Technology/Physics, Project Lead the Way for Engineering and Technology or Trade and Industrial Education; Anatomy for Health and Medical Services; AP Chemistry, Oceanography, Geology as relates to career pathway)	3	<b>History/Social Science</b> (to include Financial Literacy)	3	<b>Health/Physical Education</b>	2	<b>Foreign Language</b> (Conversational based for workforce readiness)	2	<b>Technical Communication</b> (Computer applications, technical proposals, report writing, project development)	1	<b>Career and Technical Education</b> 4-5 (A concentration of two or more CTE courses)		<b>Elective</b>	1		Total		23 credits	
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<ul style="list-style-type: none"> <li>• This diploma should be considered a “regular diploma” for NCLB &amp; IDEA graduation.</li> <li>• CTE technical program (or concentration) should equate/substitute for SOL End-of- Course verified and standard credits, not added on to those courses/tests.</li> <li>• Program should encourage cooperative experiences and on-the-job training to count toward standard and verified credits.</li> <li>• Program should use data from career and transition assessments (i.e., interest interviews/surveys, aptitude measures, etc.) to advise students.</li> <li>• Program concentrations should include computer technology (including networking systems) as well as service profession (food service, health care, child care, landscaping, etc.) and work skills (work ethic, problem-solving, independence, teamwork, etc.). The work skills should be incorporated in the cooperative experiences and in course work.</li> <li>• Program should have an entrepreneur (business) component for students that might be starting their own business.</li> </ul>	
<p><b>VASS/VSBA</b></p> <ul style="list-style-type: none"> <li>• A concentration in career and technical education (CTE) is completing a coherent <u>sequence</u> of courses in at least one CTE career area and earning at least 5 CTE credits. Two of the five credits should be a course that provides instruction in workplace readiness skills and a separate course that provides work-based learning experiences. After completing the program’s sequence, a student must take and pass the associated industry certification or state board licensure examination in order to be awarded 1 to 2 verified credits.</li> <li>• A student must earn 23 units of credit to receive a technical diploma. The 23 units should include Algebra II, Principles of Technology, at least 2 years of a foreign language, and public speaking.</li> <li>• Employers, who are members of the local CU Advisory Council, request that students be equipped with the soft skills needed for successful employment. They request that schools teach students the importance of being on time, working while on the job, getting along with coworkers, providing appropriate customer service, and knowing basic math and communication skills. Employers readily state that if schools teach these</li> </ul>	<p>See agency response to technical diplomas.</p>

<p>skills, they can provide training so the employee can learn the job.</p> <ul style="list-style-type: none"> <li>• The regulations should address this issue by mandating that 1 of the 5 credits be a course exclusively in workplace readiness skills. This course should be based on a State Board of Education approved curriculum framework document.</li> <li>• Financial hardships usually exist when adding new programs, especially for smaller school divisions. Technical diplomas will require additional staff and programs to ensure enough sequences for all students following the technical track. Schools with high composite indices receive low funding and schools with low composite indexes do not receive enough funding.</li> <li>• Current funding will not support adding new programs (equipment, industry examination fees) and/or new staff (salary and benefits).</li> <li>• Partnerships with local school divisions and community colleges may reduce the financial burden, but will not alleviate it. Local school divisions may need to develop a program to allow students to cross borders to enroll in CTE programs and/or offer more dual enrollment courses through a local community college. The school division would be responsible for transportation, tuition, and any other fees.</li> <li>• Each student earning a technical diploma shall be given a work-based learning opportunity such as an internship or cooperative education in his program sequence. The regulations should address this issue by requiring a unit of credit for work-based learning.</li> <li>• There should be a statewide campaign promoting the technical diplomas similar to the GED campaign several years ago. Billboards should be put up across the state and media spots should be on local TV and radio stations throughout the Commonwealth. This effort will inform parents, business and industry personnel, community leaders, as well as, all Virginia's students about the technical diploma options.</li> <li>• The Board of Education should consider allowing local school divisions to share resources such as in the field, on-site classroom opportunities across divisions. This will reduce some of the financial hardship on smaller school divisions.</li> </ul>	
<p><b>VEA</b></p>	<p>See agency response to technical diplomas.</p>

- The VEA supports efforts to elevate the quality, standing, and public perception of Career and Technical Education. Unfortunately, for some time now, the public and policy makers have seemed to believe that all students, in order to be successful, have to attend traditional four-year colleges and universities. The unintended consequence of the failure to give equal attention to preparation in skilled trades and to encourage children to pursue vocational/technical career options will have an increasingly significant impact on our nation's ability to compete in the global marketplace.
- Governor Kaine is joining with manufacturers and others to conduct a Virginia Skilled Trade Gap analysis project. VEA and others realize that the results of this analysis will be alarming.
- We have an opportunity now to design a far more comprehensive, meaningful system of education and accountability by recognizing that 21st Century skills require a broad spectrum curriculum and authentic assessments to prepare our students for the workplace.
- We have an opportunity to create career and technical programs in our public schools that will prepare our students to enter the world of work with skills that will ensure a good quality of life for them and a quality workforce for our industries. Diploma requirements are but one piece of what needs to occur.
- The VEA asks the Board of Education, the Department of Education, the General Assembly and the Governor to go beyond nibbling around the edges. The Commonwealth must face the fact that we need to increase Virginia's investment in Career and Technical Education.
- We cannot simply alter diploma requirements, change the sequence of courses, and place the burden for enhanced vocational and technical offerings on Virginia's localities.
- We all know that Career and Technical Education and Special Education are the most expensive programs to offer. It costs much more to provide the one-on-one training a future machinist needs than it does to teach twenty-five in a traditional classroom. Enhancing the quality of Career and Technical Education will require investment. The best way to begin enhancing the perception of Career and Technical Education is to enhance Career and Technical Education programs. Make Virginia's

offerings second to none.	
<p style="text-align: center;"><b>Virginia PTA</b></p> <ul style="list-style-type: none"> <li>• The Virginia PTA has long-standing positions on supporting access to career and technical training for all students and encouragement for every child to develop to his fullest potential.</li> <li>• We yield to the findings of the Department of Labor and their recently identified 10 high-growth industries and three emerging industries that will have significant growth in the coming years. These are advanced manufacturing, automotive, construction, energy, financial services, health care, hospitality, information technology, retail, transportation, and biotechnology, geospatial technology, and nanotechnology.</li> <li>• Recruiting specific industry experts to help identify and determine concentration of content would be a suggestion. These same experts may also be able to offer suggestions regarding staffing resources.</li> <li>• Dual-enrollment with the community college system should also be a viable option.</li> <li>• Other recommendations would be to offer more flexibility in current regulations and require multiple criteria to determine pass/fail with these courses.</li> <li>• We would request you explore additional alternative licensure for the CTE teachers.</li> <li>• School divisions should be encouraged to share resources across divisions and we must utilize all available community resources.</li> <li>• Parental involvement and communication on the availability of these courses to our parents and students should be promoted prior to our students entering high school.</li> <li>• The Virginia PTA would be glad to work with the Department of Education in establishing a program to be presented at PTA meetings perhaps at the middle school level to tie in with career days as offered through our middle schools.</li> </ul>	See agency response to technical diplomas.

Comment	Agency Response
<p><b>Technical Diplomas</b></p> <p><b>Virginia Association for Supervision and Curriculum Development (VASCD)</b></p> <ul style="list-style-type: none"> <li>• VASCD support multiple pathways and more options for students to earn a diploma and to graduate from high school.</li> <li>• VASCD prefers more flexibility in how a student may earn a standard or advanced diploma rather than a longer list of diploma types that could be a step backward towards more tracking and labeling of students.</li> <li>• VASCD supports changes to career and technical education (CTE) programs that provide needed twenty-first century skills and are responsive to articulated needs of the business community that hires these students.</li> <li>• VASCD asserts that many of the changes proposed in discussions about a new CTE diploma are not revenue neutral and additional costs associated with classroom space, equipment, and staffing must be recognized and funded.</li> </ul>	<p>See agency response to technical diplomas.</p>
<p><b>Graduation Rates</b></p> <p><b>Virginia Association for Supervision and Curriculum Development (VASCD)</b></p> <ul style="list-style-type: none"> <li>• The state and federal legislators and policy makers need to provide flexibility, resources, and an accountability system which support innovative high school reform.</li> <li>• VASCD supports high school redesign that includes rich and rigorous curriculum, meaningful and relevant learning experiences, relationships with caring adults who know students well, and an accountability system based upon multiple measures of assessment.</li> <li>• VASCD calls upon the General Assembly and Virginia Board of Education to support research-based approaches that engage high school youth and improve educational outcomes. These outcomes will reflect the preparation of high school graduates who become productive, successful adults, prepared for economic self-sufficiency and positive participation in society.</li> <li>• VASCD supports innovative high school reform efforts that move towards customizing the high school experience and which promote multiple, yet equally rigorous, pathways for the completion of high school.</li> <li>• VASCD supports increased efforts to embed aspects of the high school experience into the larger community including internships, apprenticeships, and other community-based activities.</li> <li>• Policy options or incentives that encourage high rates of graduation and/or reduce and prevent dropouts are welcome as long as they are flexible and do not add</li> </ul>	<p>See agency response to graduation rates.</p>

administrative time better spent working with teachers and students. These options should allow for different programs in high schools across the Commonwealth that vary in terms of focus, student population, community interests, and business/industry available.

- VASCD favors graduation rate plans that are simplified and calculated in fewer ways with flexibility in counting alternative pathways to graduation. Schools should not be penalized in any way when students opt for either a shorter or longer path to graduation.
- Very little about their world looks the way it did when students graduated from high school twenty or more years ago. We don't work the same way, communicate the same way, or acquire information the same way; therefore, the learning experiences we provide for high school students must evolve to meet the reality of the world they will enter upon graduation.

**Just Children**

- Just Children supports adding graduation rates as a measure of school performance in the Standards of Accreditation.
- The state should set an ambitious initial target that advances as time goes on. The target should be 80 percent or the state average produced by the NGA formula for the class of 2008, whichever is higher.
- Schools should be rewarded for significant and sustained progress toward the graduation rate target even if it takes more than one year to arrive at the target rate.
- Schools that do not reach the target should raise their graduation rates each year by 20 percent of the non-graduation rate in order to maintain full accreditation.
- High schools should meet or make significant progress toward the graduation rate target for each student subgroup recognized by NCLB.
- If the Board is not willing to disaggregate by student subgroup, it must set the initial target rate much higher.
- Reporting of graduation rates by school for each subgroup should be available in a prominent and easily understandable format on the Department of Education's Web site.
- The graduation rate standard should encourage schools to keep students on track for earning the highest attainable credential.
- Schools should be rewarded for five-year and six-year graduates without undermining the commitment to four-year graduation.
- For purposes of tracking students, the default code should be set to "dropout" when a student's whereabouts are unknown. This will encourage schools to track down "missing" students and make sure they are in school.
- Documentation should be required to support the use of the "transfer" code.

<ul style="list-style-type: none"> <li>• All stakeholders, including students, parents, the civil rights groups, and schools should be invited to address the Board’s Committee on Accountability regarding the revisions to the Standards of Accreditation.</li> <li>• Graduation rates should be one of the factors that could trigger a division-level academic review.</li> </ul>	
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<p style="text-align: center;"><b>Comment</b></p>	<p style="text-align: center;"><b>Agency Response</b></p>
<p><b>Technical Diplomas</b></p> <p><b>Virginia Association of Secondary School Principals (VASSP)</b></p> <ul style="list-style-type: none"> <li>• VASSP supports a technical diploma that is defined and regulated with as much flexibility as possible to recognize the varied opportunities and differing resources available in school divisions.</li> <li>• Current definition of “concentration” should be maintained and that students should be required to complete a sequence of courses and/or structured apprenticeship as part of a career pathway in order to receive credit toward a technical diploma.</li> <li>• Both standard and verified credits should be included in a technical diploma program. Specific industry examinations or occupational assessments are not available for all technical areas of concentration; therefore, both types of credits would be necessary.</li> <li>• The technical diploma should meet or exceed the requirements of the Standard Diploma thus ensuring students who may not be able to complete a CTE concentration or earn CTE verified credit will be eligible to earn the Standard Diploma.</li> <li>• Simply increasing the number of standard credits is not the answer. Consideration should be given to both rigor and relevance in prescribing course requirements.</li> <li>• Some students pursuing the technical diploma may be better served by the new Algebra, Functions, and Data Analysis course than Algebra II.</li> <li>• For the Advanced Technical Diploma would the technical portion of the requirements be “add-ons” or if some credits currently required for an Advanced Diploma will be replaced with technical credit requirements.</li> <li>• In establishing the Advanced Technical Diploma, the Board should ensure that students who fall short of the requirements have access to another diploma</li> <li>• The Board should take into consideration the current requirements for the Career and Technical Diploma Seal and the Advanced Mathematics and Technology Seal.</li> <li>• VASSP supports readiness skills for all students such as those included in the Commonwealth Scholars Program; however,</li> <li>• VASSP would not recommend that the Board specify a particular program in regulation.</li> </ul>	<p>See agency response to technical diplomas.</p>

<ul style="list-style-type: none"> <li>VASSP believes that the most likely hardship for schools will be in finding qualified faculty to fill technical course positions. A number of schools are experiencing this problem currently, and the issue could become increasingly problematic if more students take advantage of technical courses in order to receive the new technical diploma. Space limitations as well as funding for equipment to meet anticipated increases will be among other considerations for schools.</li> </ul>	
<p><b>Graduation Rates</b></p> <p><b>Virginia Association of Secondary School Principals (VASSP)</b></p> <ul style="list-style-type: none"> <li>VASSP supports the Board of Education policy adopted in its November 2006 report to the Governor and General Assembly that includes all current Board-authorized diplomas in calculating the graduation rate.</li> <li>VASSP supports the Board’s policy of allowing extended time for LEP students and students with disabilities (beyond 4 years) as well as inclusion in the graduation rate and continuation of the current policy of counting senior summer school completers as graduates in a 4-year calculation.</li> <li>VASSP supports a “safe harbor” methodology for determining school accreditation using graduation rates.</li> <li>VASSP would suggest that the Board consider the use of the graduation rate plus completer rate in calculations for school accreditation (GED completers by age 18, for example)</li> </ul>	<p>See agency response to graduation rates.</p>

**Family impact**

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

Schools are important institutions in communities. The impact of the proposed regulatory action on the institution of the family will be continued improvement in the public education system to help ensure that children have the opportunity to receive a quality education and preparation for adulthood whether they move on to higher education, the military or the work force. Students must be adequately prepared for the future in order to lead productive lives. Being productive and successful will increase the potential for strong stable families.

**Detail of changes**

*Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.*

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

For changes to existing regulations, use this chart:

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change and rationale</b>
20-131-5		Provides definitions of terms	Proposed language adds the two new diplomas, Standard Technical and Advanced Technical, to the list of diplomas included in the definition of graduate.
20-131-30		Sets expectations for students who must be tested in grades K-8	Proposed language clarifies that students shall be required to take only one test per content area in each tested grade. This language is proposed to eliminate any double testing of advanced students in content areas and to reduce the testing costs to the state associated with double testing.
20-131-50		Sets graduation requirements and honors.	<p>Language is amended to make the new requirements affective with the ninth grade classes of 2009-2010.</p> <p>For the Standard Diploma the number of required elective standard unit of credits is reduced from six to five so that one standard unit of credit in foreign language, economics, or personal finance is added to the diploma’s requirements.</p> <p>Language is added to the list of courses in the footnotes to satisfy the mathematics requirements for the Standard Diploma to include Algebra, Functions, and Data Analysis, in addition to Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II.</p> <p>Language is added in the footnotes regarding the student selected test required for the Standard and Advanced Studies Diplomas to now include an assessment prescribed by the Board in economics.</p> <p>The requirements for the Advanced Studies Diploma would be revised to require two additional standard credits: one in economics or personal finance, and one additional elective. The total number of standard credits required for the</p>

			<p>Advanced Studies Diploma would be 26, consistent with the number required for the Advanced Technical Diploma.</p> <p>Standard Technical Diploma requirements are added as required by General Assembly action. The diploma requires a minimum of 22 standard credits and six verified credits, in the following areas:</p> <ul style="list-style-type: none"> <li>• English – Four standard credits and two verified credits</li> <li>• Mathematics – Three standard credits and one verified credit</li> </ul> <p>Courses completed to satisfy this requirement would include at least three course selections from among: Algebra I, Geometry, Algebra Functions and Data Analysis, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.</p> <ul style="list-style-type: none"> <li>• Laboratory science – Three standard credits and one verified credit. Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.</li> <li>• History and social sciences – Three standard credits and one verified credit Courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.</li> <li>• Health and physical education – Two standard credits</li> <li>• Fine arts, foreign language, economics, or personal finance – One standard credit</li> <li>• Career and Technical Education – Four standard credits. Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student’s career concentration.</li> <li>• Electives – Two standard credits</li> <li>• Student selected assessment – One verified credit. A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110. If a career concentration includes a specific assessment approved by the Board, then the student must take</li> </ul>
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			<p>this assessment.</p> <ul style="list-style-type: none"> <li>• Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry or trade or professional association or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification competency credential or license for (i) the student selected verified credit and (ii) either a science or history and social science verified credit when the certification license or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the Board as an additional test to verify student achievement.</li> </ul> <p>Advanced Technical Diploma requirements are added as required by General Assembly action. The diploma requires a minimum of 26 standard credits and nine verified credits, in the following areas:</p> <ul style="list-style-type: none"> <li>• English – Four standard credits and two verified credits</li> <li>• Mathematics – Four standard credits and two verified credits. Courses completed to satisfy this requirement would include at least three course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II. The Board would approve courses to satisfy this requirement.</li> <li>• Laboratory science – Four standard credits and two verified credits. Courses completed to satisfy this requirement would include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board would approve courses to satisfy this requirement.</li> <li>• History and social sciences – Four standard credits and two verified credits. Courses completed to satisfy this requirement would include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board would approve courses to satisfy this requirement.</li> <li>• Foreign Language – Three standard credits. Courses completed to satisfy this requirement would include three years of one language or two years of two languages.</li> <li>• Health and physical education – Two standard</li> </ul>
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			<p>credits</p> <ul style="list-style-type: none"> <li>• Fine arts or economics – One standard credit</li> <li>• Career and Technical Education – Four standard credits. Courses completed to satisfy this requirement must include a career concentration as approved by the Board. For concentrations that require less than four courses students must complete additional courses that are related to the student’s career concentration. If a career concentration includes a specific assessment approved by the Board, then the student must take this assessment.</li> <li>• Student selected assessment – One verified credit. A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110.</li> </ul> <p>Language in the diploma seals subsections is amended to add the two new diplomas, Standard Technical and Advanced Technical, to the list of diplomas included in these sub sections.</p>
20-131-60		Establishes provisions for handling students who transfer into public schools.	Proposed language adds the two new diplomas, Standard Technical and Advanced Technical, to the list of diplomas included in this section.
20-131-140		Establishes provisions for college and career preparation programs and opportunities for post secondary credit.	An Academic and Career Plan for students beginning in grade seven is proposed at the Governor’s request.
20-131-210		Establishes the provisions for the role of the principal.	<p>Proposed language requires the principal to notify parents when a student is removed from classes for disciplinary reasons for two or more consecutive days.</p> <p>In 2007, the House Education Committee, while not taking action on HB 3201, related to removing students from classes, requested the Chairman write a letter to the Board of Education asking that the Board consider this issue in its review of applicable regulations, and report back to the patron and the committee. Language in response to this bill is included in the proposed revisions.</p>
20-131-270		Establishes provisions for school and community communications.	Proposed language adds the two new diplomas, Standard Technical and Advanced Technical, to the list of diplomas included in this section.
20-131-280		Provides expectations for school accountability.	Proposed language adds the graduation and completion index to existing language regarding accreditation of schools. This is necessary to align this regulation with new language in section 8 VAC 20-131-300.
20-131-290		Establishes procedures for certifying school accreditation eligibility.	The term “six year plan” is changed to “comprehensive plan” to align the regulatory language with changes made to the statutory language in the Standards of Quality sections in

<p>20-131-300</p>		<p>Establishes procedures for application of the standards.</p>	<p>the Code of Virginia.</p> <p>Language is proposed to create the accreditation rating category of “Provisionally Accredited Graduation Rate.” This category is created to address the use of a graduation and creation index for the first time in the accreditation of schools.</p> <p>Obsolete language is removed.</p> <p>Proposed language creates a graduation and completion index to that all schools with a graduating class would be required to meet in order to be fully accredited. This amendment is necessary to address the Board of Education’s concern and the public’s concerns regarding reducing the number of students dropping out of school and increasing the number of students graduating with an appropriate credential that will enable them to transition into postsecondary instruction or the workforce.</p> <ul style="list-style-type: none"> <li>• The graduation and completion index would include weighted percentage points for students who:             <ul style="list-style-type: none"> <li>○ Graduate from high school in four years or less – 100 points</li> <li>○ Graduate from high school in more than four years – 100 points</li> <li>○ Earn a GED certificate – 75 points</li> <li>○ Remain in school for more than four years – 70 points</li> <li>○ Earn a certificate of completion – 60 points</li> </ul> </li> <li>• The index would account for all students in the graduating class’s ninth grade cohort, plus transfers into the school and minus transfers out of the school and students who are deceased. Students who remain in school or earn a credential after their assigned cohort year would also be included in the index.</li> <li>• Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to meet the prescribed thresholds on the Board’s graduation and completion rate index, in addition to meeting the required pass rates on the Standards of Learning assessments, in order to be fully accredited.</li> <li>• Beginning with academic year 2009-2010, for accreditation ratings for 2010-2011, schools with a graduating class would be required to achieve a minimum of 80 percentage points on the Board of Education’s graduation and completion index, in addition to meeting the required</li> </ul>
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			<p>Standards of Learning pass rates, in order to be fully accredited.</p> <ul style="list-style-type: none"> <li>A school would be rated provisionally accredited in academic years 2010-2011 through 2014-2015 if it met the required pass rates on the Standards of Learning assessments, but failed to achieve 80 percent on the graduation and completion index, but met the following benchmarks:</li> </ul> <table border="1" data-bbox="898 470 1422 842"> <thead> <tr> <th colspan="3">Graduation and Completion Index Benchmarks for Provisionally Accredited Ratings</th> </tr> <tr> <th>Academic Year Index</th> <th>Accreditation Year</th> <th>Percentage Points</th> </tr> </thead> <tbody> <tr> <td>2009-2010</td> <td>2010-2011</td> <td>75</td> </tr> <tr> <td>2010-2011</td> <td>2011-2012</td> <td>76</td> </tr> <tr> <td>2011-2012</td> <td>2012-2013</td> <td>77</td> </tr> <tr> <td>2012-2013</td> <td>2013-2014</td> <td>78</td> </tr> <tr> <td>2013-2014</td> <td>2014-2015</td> <td>79</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>If a school failed to meet the benchmarks for the provisionally accredited rating, the school would be accredited with warning for not achieving the minimum threshold on the graduation and completion index.</li> <li>If a school failed to meet the 80 percentage points on the index after accreditation year 2014-2015, the school would be accredited with warning for not achieving the minimum threshold on the index.</li> <li>A school could remain in accredited with warning status for no more than three consecutive years. If the school failed to meet the minimum threshold for a fourth year, the school would be denied accreditation for not achieving the minimum threshold on the index.</li> <li>Accreditation would be based on the school's current pass rates and index points or a trailing three-year average of pass rates and index points, whichever is higher.</li> <li>Alternative education schools and schools with grades with an enrollment of 50 or fewer students in the ninth grade cohort would be permitted to request that the Board approve an alternative accreditation plan to meet the graduation and completion index.</li> <li>The use of the graduation and completion index for accreditation of high schools would be phased in over five years.</li> </ul>	Graduation and Completion Index Benchmarks for Provisionally Accredited Ratings			Academic Year Index	Accreditation Year	Percentage Points	2009-2010	2010-2011	75	2010-2011	2011-2012	76	2011-2012	2012-2013	77	2012-2013	2013-2014	78	2013-2014	2014-2015	79
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20-131-325		Establishes recognition and rewards for school and division accountability performance.	Language is added to permit school divisions to receive recognitions and rewards from the Board of Education for accountability performance. Existing language currently allows only schools																					

			to be recognized and rewarded.
20-131-360		Provides for an effective date for the regulations.	The effective date of the regulations is set for the 2009-2010 academic school year.